

THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 17599 OF 1999

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Dated 28th June, 2007

Between:

M/s. Rajeev Traders, a registered
Partnership firm represented by its
Managing Partner, Kakarala Rajendra Vara
Prasada Rao, Ramachandrapuram,
Eluru, West Godavari District.

...Petitioner.

And

The Assistant Director of Agriculture,
Government of A.P., Eluru,
West Godavari District and others.

...Respondents.

ORAL ORDER:

This writ petition is filed by a partnership firm when certain stocks of fertilizers were detained and directions were issued not to deal with the said commodities.

The petitioner was granted a wholesale and retail dealership licence to deal in fertilizers. However, when inspections were made in the godowns of the petitioner, certain stocks were ordered to be detained. While it is the case of the petitioner-firm that all the godowns are covered by the licence, it is stated in the counter affidavit that the godowns at Peddapadu and Thotagudem were not included in the Certificate of Registration as on the date of inspection i.e. 16.7.1999.

However, in the counter affidavit, it is stated that considering the explanation of the petitioner and after verifying the records, the detained stocks were released on 17.8.1999. But, further steps were not taken to pursue the proceedings under Section 6-A of the Essential Commodities Act.

As much as the very seized stock is already released in favour of the petitioner, it cannot be said that the respondents are preventing the petitioner from conducting its business. However, leaving open to the respondents to take steps in case the petitioner violated any provisions of the Control Order framed under the Essential Commodities Act, the writ petition is closed. No costs.

28-6-2007

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R.SUBHASH REDDY, J.